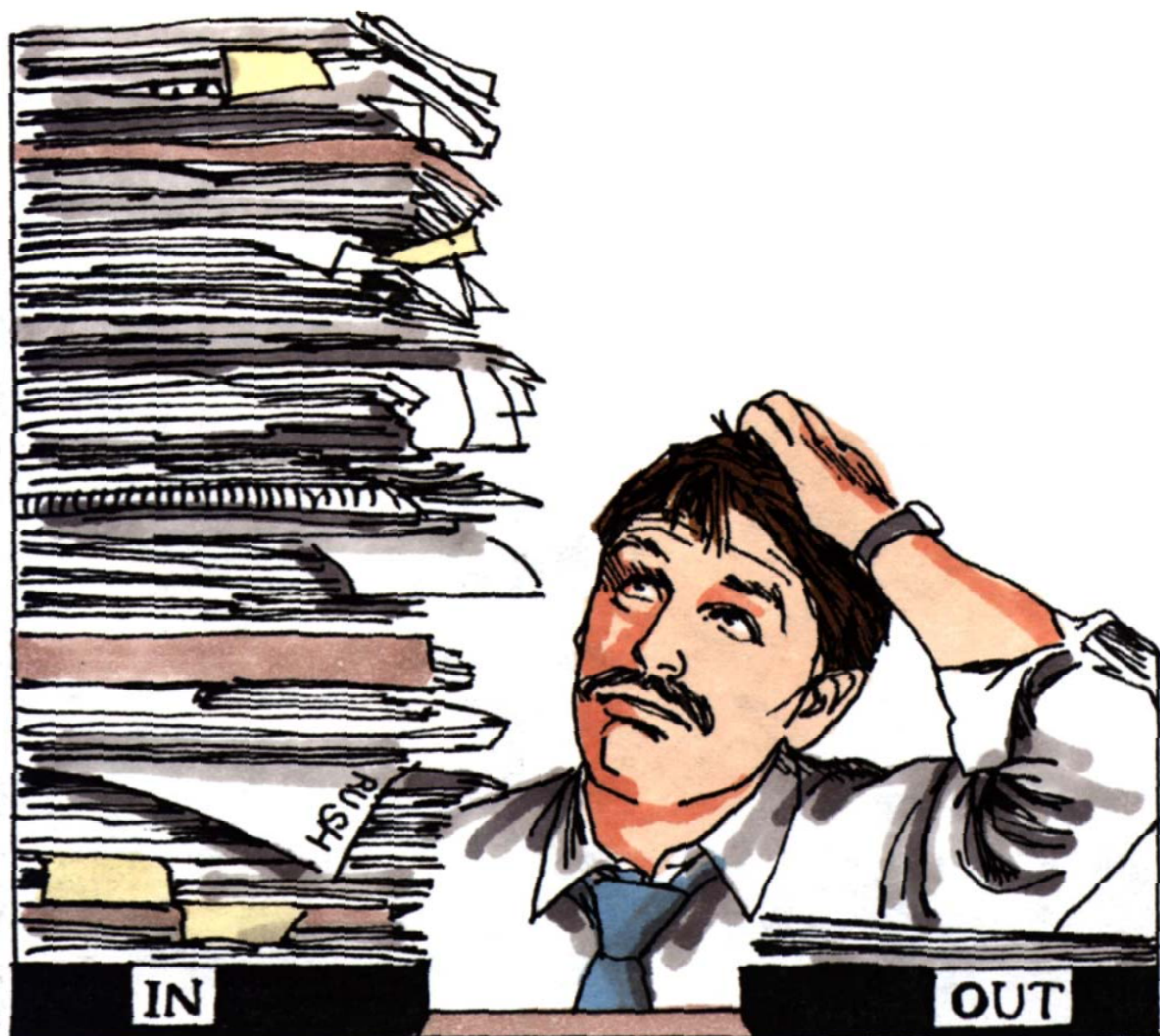


REGULATORY COMPLIANCE EDUCATION PROJECT

AGCOMPLYIT

USER'S MANUAL



**REGULATORY COMPLIANCE EDUCATION
PROJECT**

AGCOMPLYIT

USER'S MANUAL

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New versions of this stand alone CD are continually under development. The user should be aware that, while we try to keep the information timely and accurate, the information on stand alone CDs is current only as of the time of publication. There are often delays between official publication of regulatory materials and their appearance in or modification of websites and publications referenced in this program. Further, the conclusions reached by this program rely on the accuracy of the data provided by the user. Therefore, we make no express or implied guarantees. The Federal Register, Code of Federal Regulations, and the California Codes remain the official sources for regulatory information. We will make every effort to correct errors brought to our attention.

TERMS OF USE

The user of this program agrees to hold Partners harmless from any adverse consequences arising from the use of this program.

CREDITS AND ACKNOWLEDGEMENTS

The Regulatory Compliance Education Project would like to publicly express our deep gratitude to the following very busy people who took a piece of their time to work with and review the beta copy of AgComplyIT. These folks also had the courage to tell us what we needed to hear rather than what we hoped to. They have made this a better tool for all of you.

Paul Davy, Supervising Agricultural/ Standards Inspector, San Diego County

Leonard Diggs, Shone Farm Manager, Santa Rosa Junior College

Dawn Nielsen, Deputy Agricultural Commissioner, San Diego County

Beth Pratt, Director Napa Valley College, Small Business Development Center

Jerry Prieto, Jr., Agricultural Commissioner, Fresno County

Robert Roach, Assistant Agricultural Commissioner, Monterey County

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Jim Sullins, County Director, UC Cooperative Extension, Tulare County

Dave Whitmer, Agricultural Commissioner, Napa County

We would also like to acknowledge the forbearance and professionalism of the Sierra College Media Department, in particular the contributions of and support from Jory Hadsell and his crew.

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WHAT IS AGCOMPLYIT?

AgComplyIT is an ExcelTM-based tool that runs on your own personal computer. The Regulatory Compliance Education Project developed the tool to help you identify and plan your response to the federal and state regulations that affect your production operations. The tool uses your responses to a list of questions to sort out the most probable regulatory captures. Different answers to the same questions will bring different results.

When this project was conceived, we wanted to develop a tool that could simplify the chore of regulatory compliance by finding the trigger points for various regulations and putting them in one place.

Find lead agencies

Find trigger points

Put data in a single location

Develop format to plan compliance

What it covers and what it doesn't.

The tool looks at the trigger points in state and federal regulations dealing only with production agriculture. At this time, it doesn't cover local regulations like building codes and zoning nor does it cover value-added agriculture not directly dealing with production like agritourism or on-farm processing. Those interested in local regulations might try www.CalGold.ca.gov [Go to www.CalGold.ca.gov](http://www.CalGold.ca.gov)

It has never been our intent to guarantee that using AgComplyIT will meet all regulatory requirements. We are attempting to simplify the process by supplying resources and contacts to let you develop your own compliance plans. One-size would never fit all and we would never try to suggest that it could. If you are concerned with your regulatory compliance, you may wish to contact an attorney specializing in this field.

SYSTEM AND PROGRAM COMPATIBILITY

AgComplyIT has been tested and runs on Windows 98, 2000, XP, XP Professional, and Macintosh OS 8.5 - 9.2.2 with ExcelTM 4.0, Excel 2001, and Excel 2003.

Fonts and Screen Resolution

Fonts used in the program are Times New Roman and Trebuchet MS. The Page Setup is set to .5-inch margins all around. The best screen resolution is 800x600 or better.

Acrobat Reader

You will need Acrobat Reader to use the PDF files either through the Action Plans or by browsing the Resource folder. You can download a free copy of Adobe Acrobat ReaderTM from <http://www.adobe.com/>.

GETTING STARTED

The tool runs on Microsoft Excel™. If you don't have Excel™, you will not be able to run the program.

Place the CD in your CD drive.

Windows users: drag the AgComplyIT folder to your C drive.

Mac users: Drag the AgComplyIT folder to your desktop.

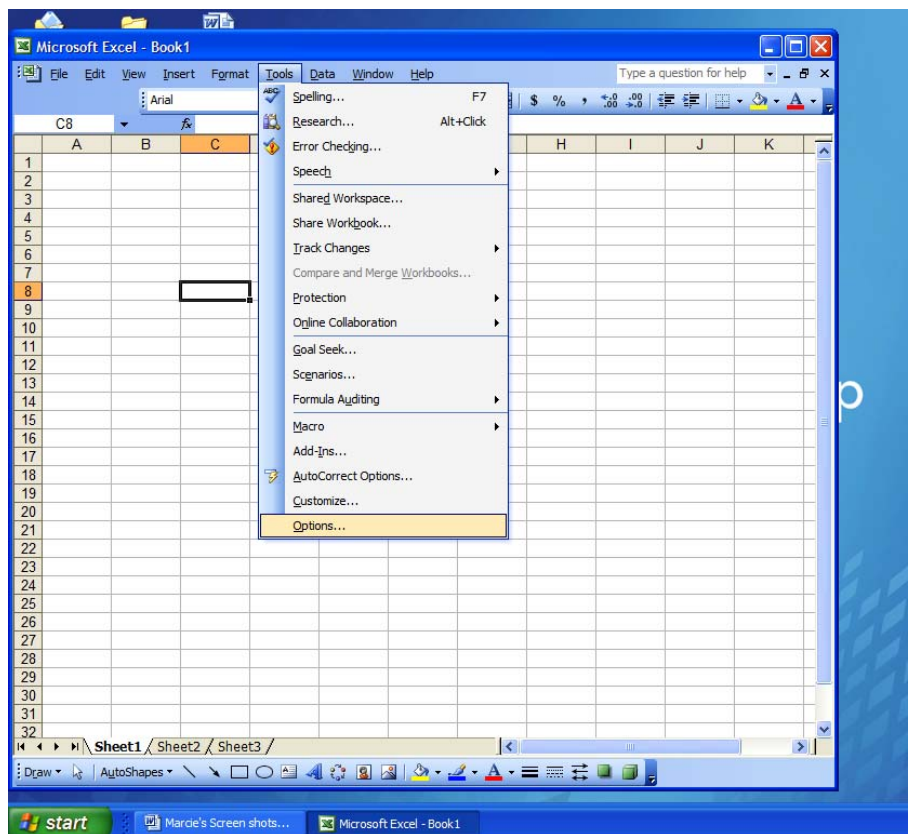
Open the AgComplyIT folder and click on the Read Me First file or read through this manual.

After using the Read Me First file, click on the AgComplyIT file to open it. Your computer should launch Excel™ and open the file.

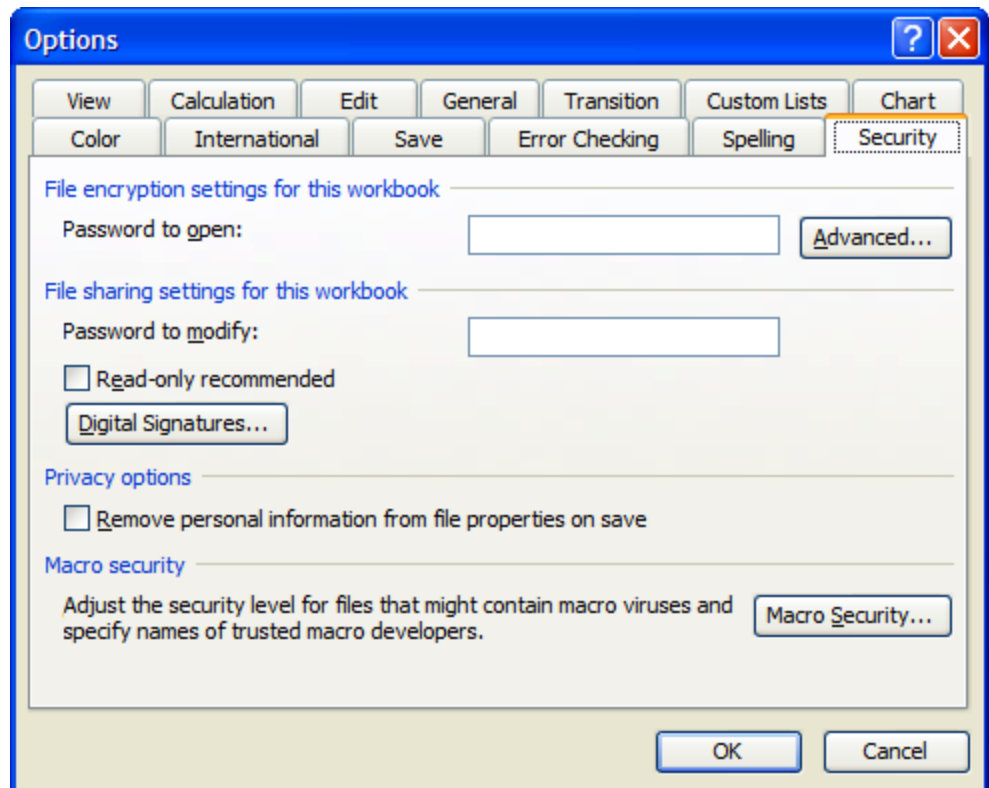
If you get the “Can't open file. Program that created it can't be found.” message, try launching Excel™ and opening AgComplyIT from the File menu.

Running Macros And Security Levels

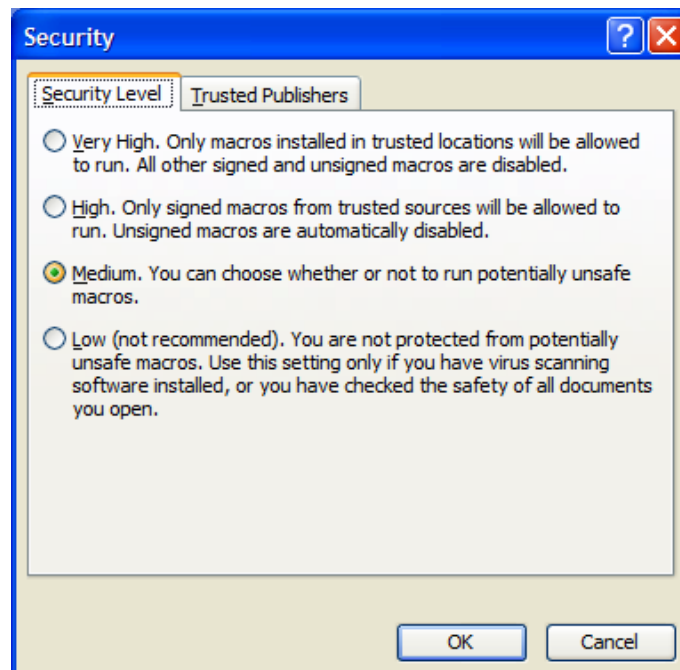
If you have your Excel™ security set to High, you will need to reset them to Medium in order to have the option to run Macros. To do this, launch Excel™. Left click the Tools menu and right click Options at the bottom of the menu.



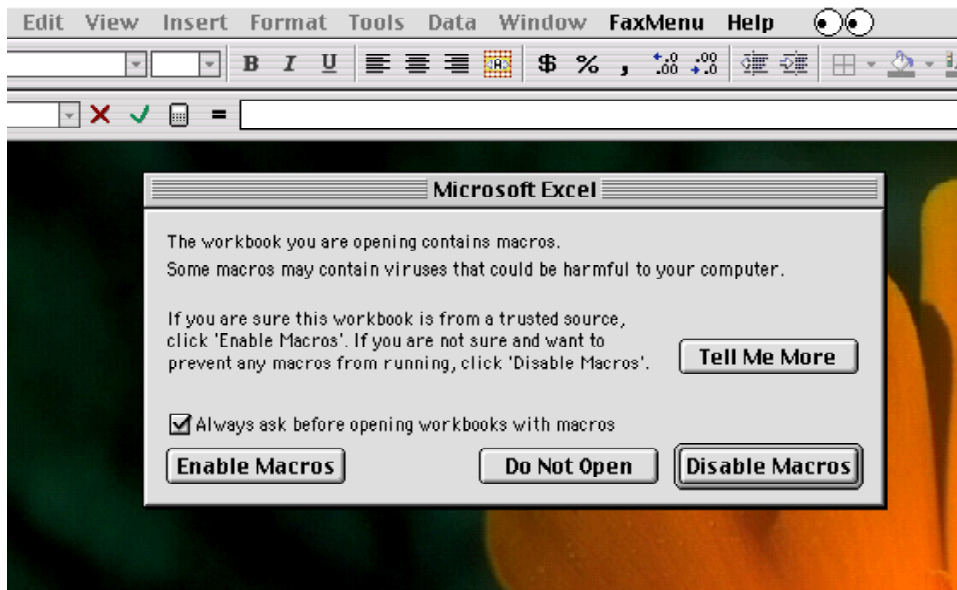
Under the Options dialog box, click the Security tab then click Macro Security.



The Security dialog box will enable you to change your security level to Medium which will allow you to enable the Macros that will run the AgComplyIT tool. You may wish to make a note to reset it after you finish working with AgComplyIT.



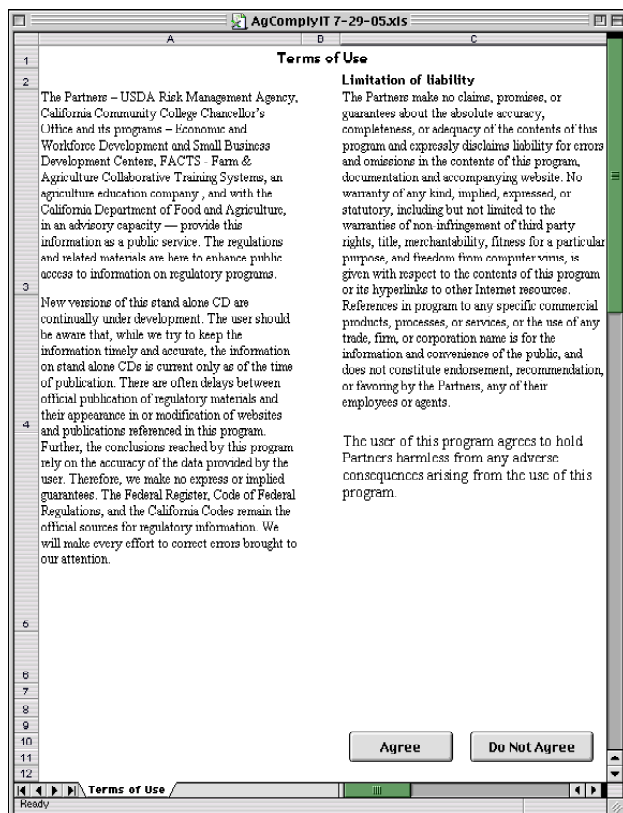
After you open AgComplyIT, a dialog box will appear asking you if you wish to enable macros.



You must enable macros for the program to run. Click “Enable Macros.”

Terms of Use

The program will open on a sheet called Terms of Use.



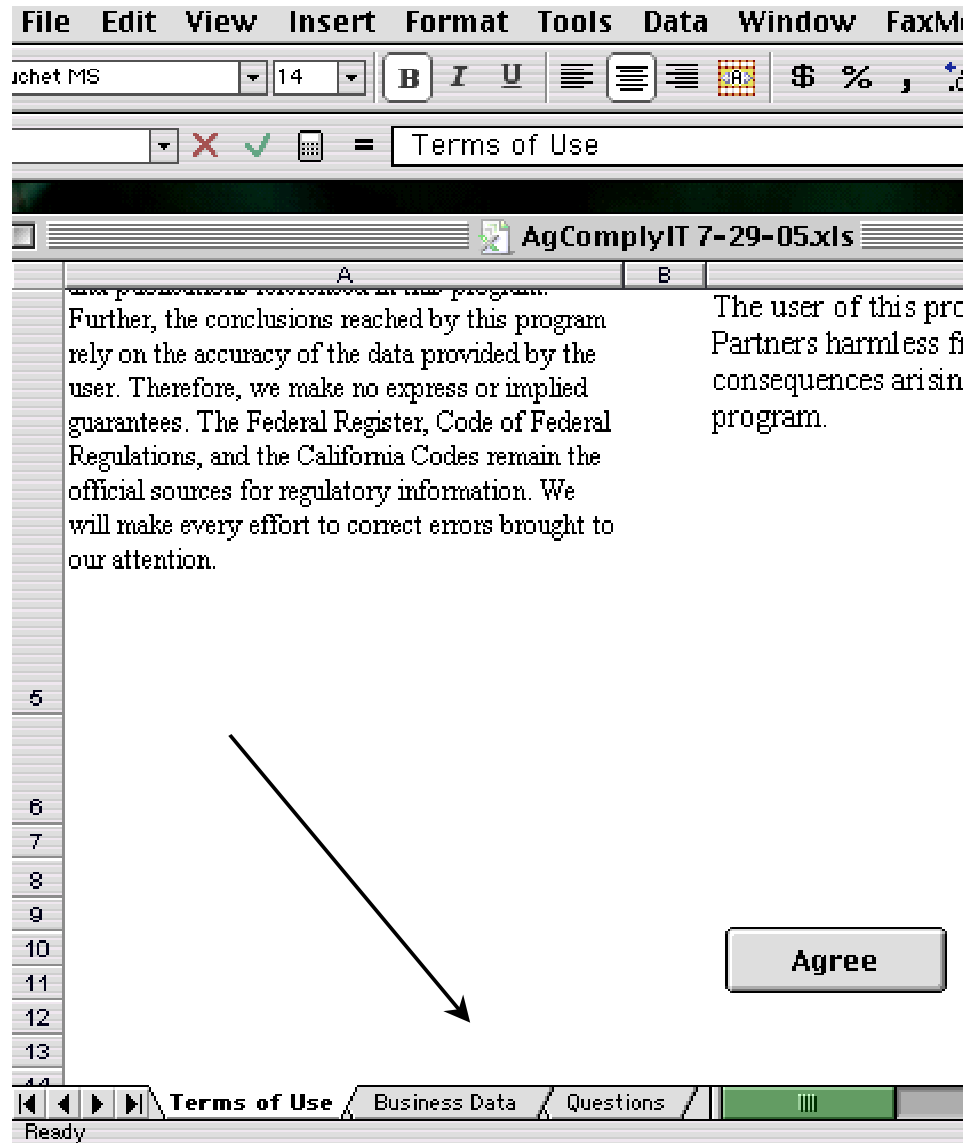
If you agree to the terms click “Agree”.

If you do not agree, please remove the AgComplyIT files from your computer and return or destroy the CD.

WORKBOOKS AND WORKSHEETS

One of the reasons we chose Excel™ was that it has a user-friendly way of organizing forms and data. The versions of Excel™ that support this tool, organize *worksheets* within a *workbook*.

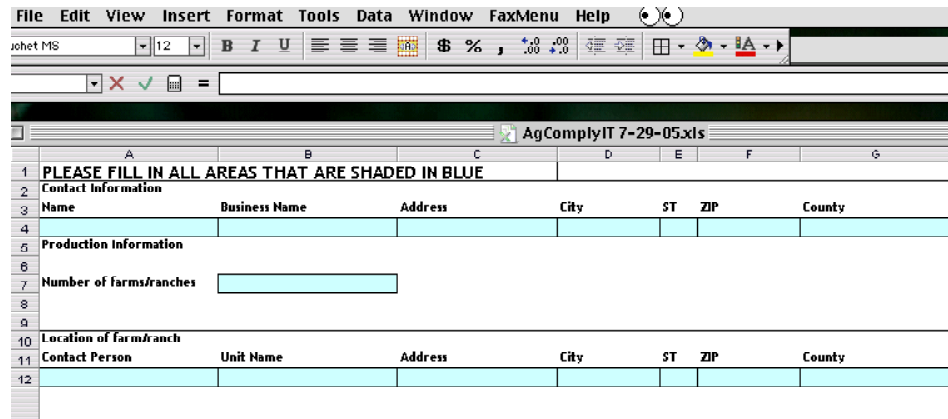
You will have two *workbooks* as you use this tool. The original workbook is named AgComplyIT. It is comprised of three public worksheets — Terms of Use, Business Data, and Questions. After you agree to the Terms of Use, the rest of the worksheets become available. Clicking on the tab opens that worksheet.



When you finish your questions and click “Complete”, AgComplyIT will create another workbook with worksheets for your Regulatory Capture List and an Action Plan worksheet for each regulation on it.

Business Data Worksheet

By completing this sheet, you will create personalized Action Plans. It is not necessary for you to complete the Business Data worksheet for the program to run, but will help you keep track of your plans. This is especially important if you have multiple production units.

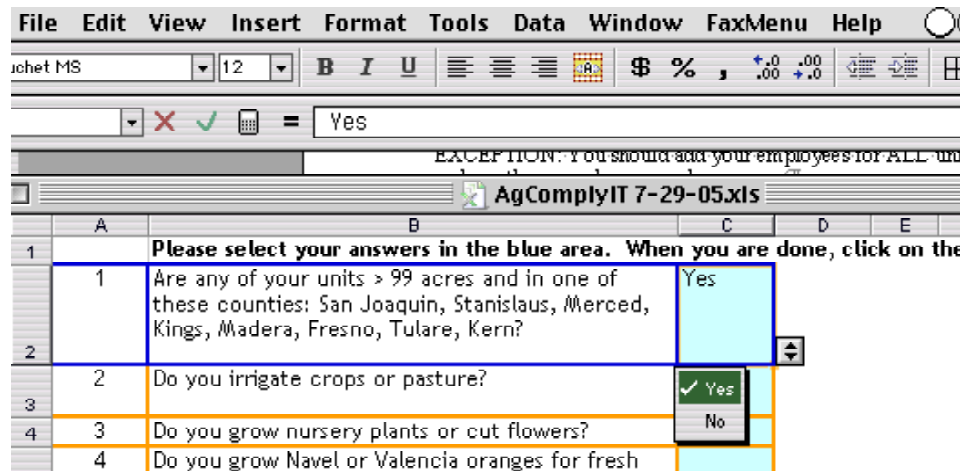


1	PLEASE FILL IN ALL AREAS THAT ARE SHADED IN BLUE						
2	Contact Information						
3	Name	Business Name	Address	City	ST	ZIP	County
4							
5	Production Information						
6							
7	Number of farms/branches						
8							
9							
10	Location of farm/branch						
11	Contact Person	Unit Name	Address	City	ST	ZIP	County
12							

Questions Worksheet

Click on the next worksheet tab labeled “Questions.”

For each question there is a yes/no pull-down menu. Click on yes or no to answer the questions. If the drop down lists seem awkward to you, you may type yes or no in the questions calling for that choice.



1	A	B	C	D	E
1	Please select your answers in the blue area. When you are done, click on the				
2	1	Are any of your units > 99 acres and in one of these counties: San Joaquin, Stanislaus, Merced, Kings, Madera, Fresno, Tulare, Kern?	Yes		
3	2	Do you irrigate crops or pasture?	Yes		
4	3	Do you grow nursery plants or cut flowers?	No		
5	4	Do you grow Navel or Valencia oranges for fresh			

If you do not raise animals you may click on the “No animals” button to go to your next applicable question. If you do raise animals, you should indicate the number of head of each.

When you have finished answering all the questions, click the “Complete” button. The flashing you see is AgComplyIT testing your answers against the trigger points for each regulation. This will take several minutes.

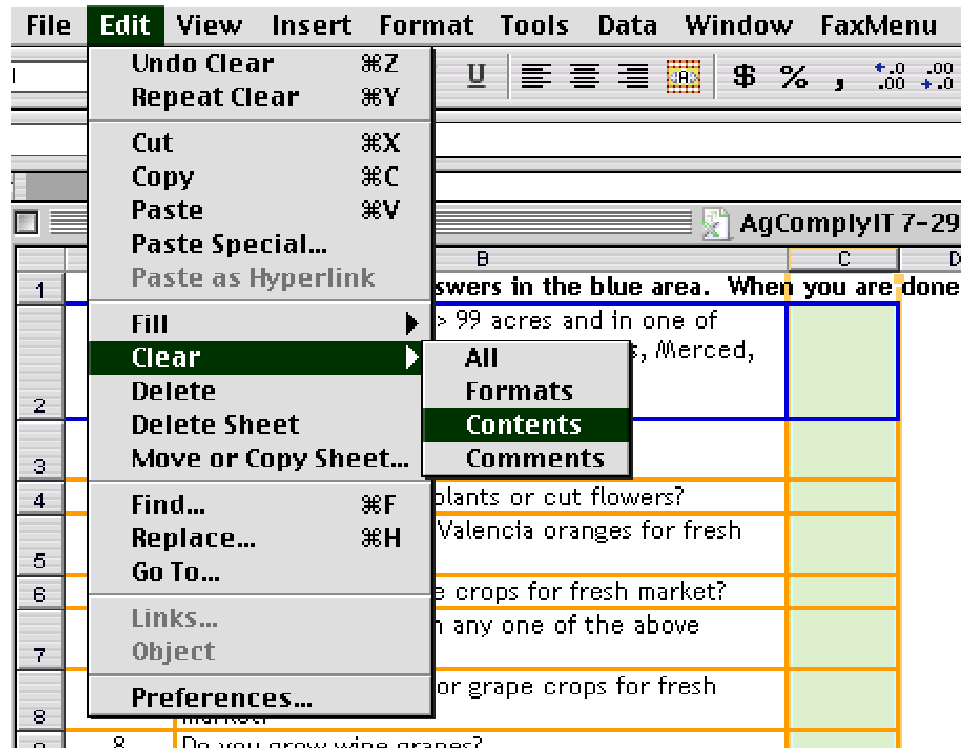
	A	B	C	D	E	F
49	48	How many agricultural employees do you have?	4			
50	49	How many of those are migrant or seasonal employees				
51	50	What is the greatest number of "man-days" your employees worked in any calendar quarter last year? *A "man day" is defined as any day during which an employee performs agricultural work for at least one hour				
52	51	Are any of your employees under 18?				
53	52	Do many of your employees speak or read only in Spanish?				
54	53	Do you use a Farm Labor Contractor?				
55	54	Do you set up a temporary labor camp?				
56	55	Do you have independent contractors, including attorneys, doing work for you?				
57	56	Do you provide Health Insurance or retirement for your employees?				
58	57	Do you have contracts with the Federal government?				
59						

Complete

AgComplyIT will put an ExcelTM file on your desktop (Mac) or C drive (Windows) called My Compliance Plan and open it for you.

NOTE: Producers with multiple production units should re-answer the questions and re-run AgComplyIT for each of your production units.
 EXCEPTION: You should add your employees for ALL units together and use those numbers on only one run. You may then skip the questions after Question 47 for subsequent runs.

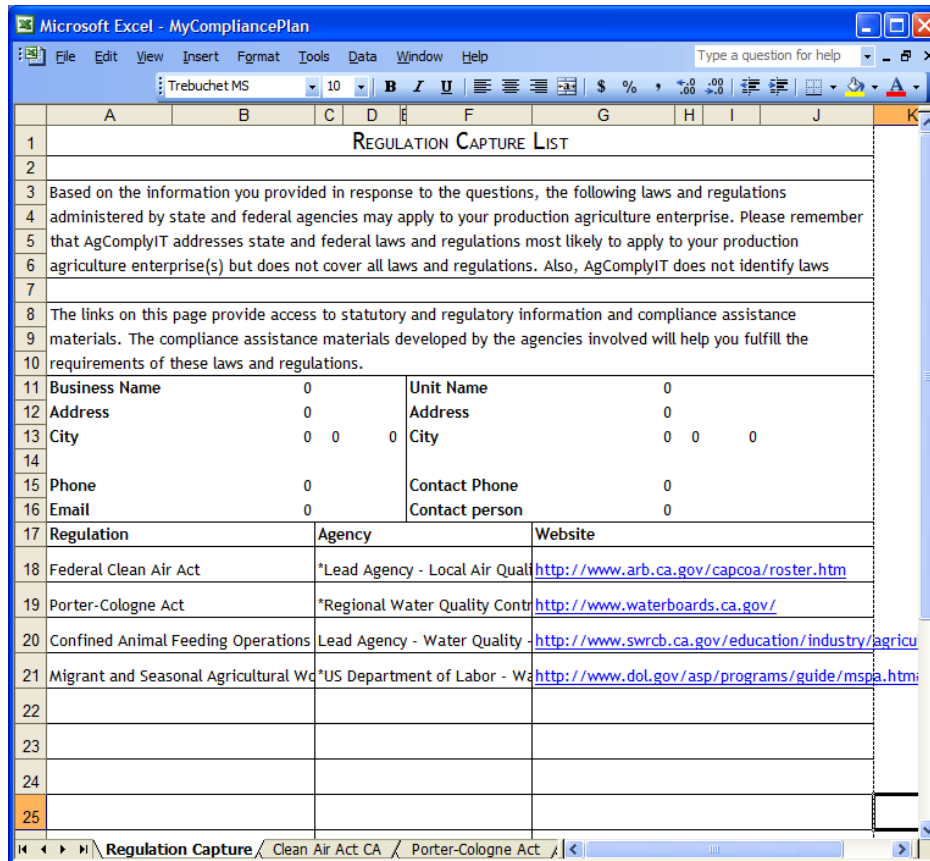
To clear your previous answers, you can simply re-choose or highlight and delete each individual answer. If you want to clear them all at once, you may highlight the answer column then find “Clear” under the Edit menu. Be sure you only clear the “Contents” so you don’t harm the form.



MY COMPLIANCE PLAN WORKBOOK

Regulation Capture List Worksheet

The first worksheet you will see is the Regulation Capture List. Based on your answers to the questions, these are the state and federal regulations most likely to apply to your operation.



Microsoft Excel - MyCompliancePlan

File Edit View Insert Format Tools Data Window Help

Trebuchet MS 10 B I U

REGULATION CAPTURE LIST

Based on the information you provided in response to the questions, the following laws and regulations administered by state and federal agencies may apply to your production agriculture enterprise. Please remember that AgComplyIT addresses state and federal laws and regulations most likely to apply to your production agriculture enterprise(s) but does not cover all laws and regulations. Also, AgComplyIT does not identify laws

The links on this page provide access to statutory and regulatory information and compliance assistance materials. The compliance assistance materials developed by the agencies involved will help you fulfill the requirements of these laws and regulations.

Business Name	0	Unit Name	0
Address	0	Address	0
City	0 0 0	City	0 0 0
Phone	0	Contact Phone	0
Email	0	Contact person	0
Regulation	Agency	Website	
Federal Clean Air Act	*Lead Agency - Local Air Quality	http://www.arb.ca.gov/capcoa/roster.htm	
Porter-Cologne Act	*Regional Water Quality Control	http://www.waterboards.ca.gov/	
Confined Animal Feeding Operations	Lead Agency - Water Quality	http://www.swrcb.ca.gov/education/industry/agriculture/	
Migrant and Seasonal Agricultural Workers	*US Department of Labor - Wage and Hour Division	http://www.dol.gov/asp/programs/guide/mspa.htm	

Regulation Capture / Clean Air Act CA / Porter-Cologne Act

For each of these regulations, AgComplyIT has generated an Action Plan Worksheet to help you develop a response plan.

Action Plans have the name of the lead agency, hopefully a live person to contact, Both websites and pdf files are there for you to learn more about the background of each regulation and find out how to comply with it. You can break your plan into steps and assign a timeline to your effort to comply.

The screenshot shows a Microsoft Excel spreadsheet titled "MyCompliancePlan". The spreadsheet is divided into several sections for data entry:

5	Address	Farmer's Road			Address	County Road 205			
6	City	Reedley	CA	0	City	Mariposa	CA	0	
7									
8	Phone		0		Contact Ph		0		
9	Email		0		Contact	Joe Farmer			
10	REGULATION	Federal Clean Air Act							
11	LEAD AGENCY	*San Joaquin Air Pollution Control District							
12	Contact person	Ted Strauss			Additional Website references				
13	Unit Name	1990 E Gettysburg Ave			http://www.arb.ca.gov/ba/ba.htm				
14		Fresno	CA	93726	http://www.arb.ca.gov/ba/omb/omb.htm				
15		(559) 230-5967			http://www.arb.ca.gov/ag/ag.htm				
16									
17		http://www.valleyair.org/farmpermits/index.htm							
18									
19					Links to documents on CD				
20					Conservation_Mgmt_PractHdbk.pdf				
21					SJAPCD PM10.PDF				
22					CropResidueBurnProhibit.pdf				
23					CMP_Poultry_Handbook.pdf				
24					Fugitive_PM10_Form_Final.pdf				
25									
26									
27									
28									
29									
30	STEP				PERSON ASSIGNED		DUE DATE		DONE
31									
32									

The bottom of the spreadsheet shows tabs for "Regulation Capture", "Employer Sheet", and "Clean Air SJV Ag".

NOTE: IF you have multiple production units, you will want to rename the My Compliance Plan workbook to reflect the unit it supports BEFORE your run it for your next unit. If you don't AgComplyIT will want to override that file when it runs again.

Special Action Plan Worksheets

Employer List

When you hire an employee, you become responsible for following myriad regulations. Our Action Plan template couldn't hold all these resources so we devised a separate form. We give you general resources to learn about being an employer and specific resources for posters and forms you will need to make a plan for your response to these regulations.

	A	B	C	D
1			Simple Employer List	
2				
3			When you become an employer, you must register with both the State and Federal governments, withhold and remit taxes, and follow myriad regulations.	
4			Here are some resources to help you comply.	
5				
6	General Labor and Housing Resources	What	Websites	PDF files
7		Best UC site APMP	http://apmp.berkeley.edu/	UC_AgLaborMgmtBook.pdf
8				CalOSHA Inter...encyCooperate.pdf
9				Child_Labor_Pamphlet.pdf
10		Best Fed site eLaws	http://www.dol.gov/elaws/	FedregsAgLabor-Runyan.pdf
11				FELSSummaryAgLaborLawReq.pdf
12		Best non-profit FELS	http://www.fels.org/	FLC_Health_Safety_Guide_Eng.pdf
13				California Employers Guide
14		Best State site EDD	http://www.edd.ca.gov/employer.htm	Local_Employ...ouseEnforcers.pdf
15				UC_APMP_Worker_Housing.pdf
16				FarmWorkHousing.zutter.pdf
17				
18	Before you hire			
19		Employer ID Number	http://www.irs.gov/businesses/	Application for EIN
20		California Employer Registration	http://www.edd.ca.gov/taxind.htm	Employer Registration.pdf
21		Order Posters	NOTE: order in dominant language of your employees as well as English. Some Spanish posters are included here on your CD. Check websites for complete lists	
22		Federally Required Posters	http://www.dol.gov/osbp/sbrefa/poster/matrix.htm	Migr_Season_Terms_EmployEN.PDF
23				Migr_Season_Terms_EmploySP.PDF
24				USDOL_Polygraph_Poster_En.pdf
25				USDOL_Polygraph_Poster_Span.pdf
26				EEO_Poster.pdf
27				Family_Medical_Leave_SP.pdf
28				Family_Medical_Leave_EN.pdf
29				USERRA poster.pdf
30				
31				
32				
33				
34				
35		California Required Posters	http://www.dir.ca.gov/wp.asp	FELSSummaryAgLaborLawReq.pdf
36				DIR Workplace postings.pdf
37				WhichIWCOrderClassification.PDF
38				Tractors EN
39				Tractors SP
40				IWCArticle14_Amended.pdf
41				CA_Minimum_wage2001_Eng.pdf
42				Salario_Minimo_de_Californi.pdf
43				EmergencyPhoneNumbers.pdf
44				No_Discrimination_Eng.pdf

Large and Medium CAFO

We used the EPA definitions of AFOs and CAFOs because those definitions were firm and being used for the Air Quality Compliance Agreement. While this project was being developed, the California Air Resources Board was working on its own definitions as were several Regional Boards. While these definitions and the plans they support may have yet to be approved by the CalEPA, added to the State Plan and

approved by the US EPA, action rather than inaction is probably the more prudent course.

One of the limitations of using readily available software that could run on home computers is the lack of flexibility to tailor the resources directly to a Zip Code. As the boundaries of water and air districts don't necessarily track with county lines, zip codes would be the way to get you the exact resources to match your operation.

The first resources on the CAFO sheets are the websites and PDFs that will allow you to find the districts with jurisdiction over your individual operational units.

AgComplyIT 7-29-05.xls									
COMPLIANCE ACTION PLAN									
<p>NOTE: This tool was developed using US EPA definitions of CAFO. During this time, Air Quality rules in California have continued to evolve. Currently, local air districts are able to develop their own definitions based on the level of air quality attainment. Remember that even with Water Quality permitting, the local district can declare a CAFO regardless of the number of animals. Your first step should always be to identify the districts having jurisdiction over each of your farming units then confirm the existing standards in each district.</p>									
<p>REGULATIONS Clean Water Act, Clean Air Act</p>									
<p>Confined Animal Feeding Operations (Large) Review Date</p>									
LEAD AGENCY WATER QUALITY					LEAD AGENCY AIR QUALITY				
http://www.waterboards.ca.gov/					http://www.arb.ca.gov/capcoa/roster.htm				
Your District:					Your District:				
CAFO contact person REGIONAL WATER QUALITY					CAFO contact person Regional Air Quality				
Name					Name				
Phone					Phone				
Email					Email				
Address					Address				
City					City				
Website					Website				
Trigger Point					Trigger Point				
Links to useful websites					Links to documents on CD				
Water Quality links									
http://yukon.tetratich-fbx.com/mpminer/getReport.do?measure									
Air Quality links					Others who can help				
http://www.arb.ca.gov/ag/agadvisory/agadvisory.htm					Your local RCD				
STEP					PERSON ASSIGNED			DUE DATE	DONE
1. Identify your districts and contacts									
2. Find District CAFO trigger for your animals									
3. Do you need a permit?									
LEAD AGENCY WATER QUALITY					Agency contact log			DATE	
http://www.waterboards.ca.gov/									
Your District:									
CAFO contact person REGIONAL WATER QUALITY									
Name									
Phone									
Email									
Address									
City									

As you fill in the general information on the top of the form, the program will fill in that same information on the Water and Air Action plans in the colored pages below.

Review Your Plans

Regulations change with time. You should also set a date to review your compliance plans the same way you would review business or marketing plans or your insurance coverage.

The tool automatically sets a review date to the year after the program is run, you may set your own by simply typing over the calculated date.

Keep Your Copies of Your Sources

Just like having good source documents for your accountant, you should keep printed copies of the public resources you use in your compliance planning.

Print web pages you rely on the day you find them, they will change over time and your plan may need to change too, but you will have a record of why you did what you did.

Keep copies of correspondence both electronic and postal with the Action Plan to which they apply.

TROUBLESHOOTING FAQs

1. My computer tells me my security settings need to be changed to run AgComplyIT IT. Why?
 - A. Macros are one way viruses and Trojan Horses can get into computers and cause problems, it's a good idea to not let them run if you don't know the source of the program. High security stops programs from running without asking you. If you have your ExcelTM security set to High, you will need to reset them to Medium in order to have the option to run Macros. Excel will ask you if you want to enable macros anytime a program has them. If this concerns you, write yourself a note to reset your security after you use AgComplyIT.

2. My computer gives me a message that it can't open AgComplyIT because it can't find the program that created it.
 - A. Some computers won't open a file when you double click on it unless the program that runs has found it first. Launch Excel, and then open AgComplyIT from the File menu.

3. I tried to run AgComplyIT after I erased my first set of answers but got an error message. What did I do wrong?
 - A. Probably nothing. Sometimes there is just too much data in a cache file. Try quitting Excel, re-launching it, and reopening AgComplyIT.

4. I have Microsoft Works. Can I use that to run AgComplyIT?
 - A. Unfortunately, AgComplyIT only runs on Microsoft Excel.

PARTNERS AND LIMITS OF LIABILITIES

This program is brought to you through the generous support of a Partnership Grant from the United States Department of Agriculture, Risk Management Agency with the Chancellor's Office of the California Community Colleges Economic and Workforce Development Program (EWDP) through the Small Business Development Centers (SBDC) program and FACTS, an agriculture education company. The RMA owns the copyright to these materials.

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USDA, Director, Office of Civil Rights
Room 326-W, Whitten Building
14th and Independence Avenue, SW
Washington, DC 20250-9410
or call: (202) 720-5964 (voice or TDD)



STATEMENT - The California Small Business Development Program

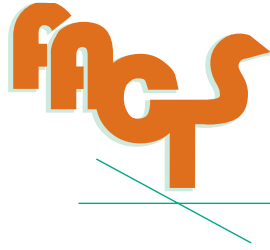
The California Small Business Development Program is sponsored by: CSU Chico, San Jose, Fullerton, Northridge, UC Merced, Southwestern Community College, the California Community College's Economic and Workforce Development Programs and the U.S. Small Business Administration. This is a partnership program under the current Cooperative Agreement with the SBA and the Lead Center hosts. Any opinions, findings, conclusions or recommendations expressed are those of the presenter(s)/author(s) and do not necessarily reflect the views of the sponsoring entities. All is extended to the public on a non-discriminatory basis. Reasonable accommodations for the disabled will be made, if requested in advance.



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